

may also be marked on the consumer package. Prunes in any lot of which the maximum size count is less than 25 shall be clearly marked by the handler in terms of the applicable numerical designation prescribed in §993.515(a); and the handler may use nomenclature terms descriptive of size other than the nomenclature designations prescribed in §993.515(b).

[26 FR 8281, Sept. 2, 1961, as amended at 46 FR 38070, July 24, 1981]

EFFECTIVE DATE NOTE: At 68 FR 43618, July 24, 2003, §993.517 was suspended effective August 1, 2003 through July 31, 2006.

#### COMPLIANCE

##### §993.518 Compliance.

Whenever the season average price to producers for prunes is below the parity level specified in section 2(1) of the act, no handler shall ship consumer packages of prunes unless such prunes are packed and labeled in accordance with the specifications prescribed in this subpart; and whether prices are above or below parity, no handler shall use the nomenclature designations in §993.515(b) to describe size categories other than those prescribed pursuant to §993.515(c).

EFFECTIVE DATE NOTE: At 68 FR 43618, July 24, 2003, §993.518 was suspended effective August 1, 2003 through July 31, 2006.

#### Subpart—Grade Regulations

##### §993.601 More restrictive grade regulation.

(a) *Incoming and outgoing regulation.* Whenever the estimated season average price to producers for prunes does not exceed the parity level specified in section 2(1) of the act, the minimum standards which handlers' receipts of natural condition prunes are required to meet pursuant to §993.49(a) shall be the standards specified in §§993.49(a) and 993.97(I), and the minimum standards which handlers' shipments or other final dispositions of prunes are required to meet pursuant to §993.50(a) shall be the applicable standards set forth in §993.97 *Exhibit A; minimum standards*, except that the following revised tolerance allowances shall apply in lieu of the tolerance allowances pre-

scribed in paragraphs I C(2), II C(3), I C(5) and II C(6) of §993.97 as follows:

(1) The combined tolerance allowance for off-color, inferior meat condition, end cracks, fermentation, skin or flesh damage, scab, burned, mold, imbedded dirt, insect infestation, and decay shall not exceed fifteen percent (15%), except that the first eight percent (8%) of end cracks shall be given one-half value and any additional percentage of end cracks shall be given full value.

(2) The combined tolerance allowance for mold, brown rot, imbedded dirt, insect infestation, and decay shall not exceed five percent (5%), and, within such tolerance, brown rot shall not exceed three percent (3%).

(b) *Above parity situations.* Whenever the estimated season average price to producers for prunes exceeds the parity level specified in section 2(1) of the act, the minimum standards set forth in §993.97 shall apply in their entirety.

[27 FR 7540, Aug. 1, 1962, as amended at 59 FR 38113, July 27, 1994]

EFFECTIVE DATE NOTE: At 68 FR 43618, July 24, 2003, §993.601 was amended in paragraph (a) by suspending the words, "and outgoing", "and the minimum standards which handlers' shipments or other final dispositions of prunes are required to meet pursuant to §993.50(a)", "IIC(3)", and "IIC(6)" are suspended effective August 1, 2003, through July 31, 2006.

##### §993.602 Maximum tolerances.

In lieu of the provision prescribed in I C of §993.97 that the tolerance allowances prescribed therein shall be on a weight basis, the tolerance allowance percentage for each defect or group of defects in I C of §993.97 shall be derived by dividing the number of prunes in the applicable sample affected with the applicable defect(s) by the total number of prunes in such sample.

[39 FR 30344, Aug. 22, 1974]

#### PART 996—MINIMUM QUALITY AND HANDLING STANDARDS FOR DOMESTIC AND IMPORTED PEANUTS MARKETING IN THE UNITED STATES

#### DEFINITIONS

Sec.

996.1 Act and scope.

996.2 Conditionally released.